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## **DIVISION 1**

# **GENERAL REQUIREMENTS**

#### Section 1.01 PURPOSE OF DOCUMENTS

The purpose of the Public Improvement Procedures is to inform the Applicant (s) or his representative, and the Project Manager for the contractor regarding public improvements procedures. Applicant (s) working on projects within Vineyard should thoroughly read and understand these requirements before designing and creating construction plan sets for public improvements.

The measures in this division shall control all anticipated projects involving Vineyard's public streets and facilities including but not limited to subdivisions, site plans, town improvement projects, and private utility projects. The following sections contain information outlining the procedures, which will control construction permitting, bonding requirements and releases, mandatory meetings, public improvement inspections, and final acceptance of projects. The Vineyard Town Engineer shall administer these procedures and has the authority to modify the criteria as needed to meet changing or unusual needs or conditions.

The Applicant (s) shall contact the Vineyard Town Engineer, 240 East Gammon Road, Vineyard, Utah 84058 for all matters concerning the information described in this division.

These standards are updated on a regular basis, so it is important to have the current edition. [This edition was updated February 2007.]

#### Section 1.02 LAND DISTURBANCE PERMIT

The purpose of this permit is to establish minimum requirements and procedures for conducting land disturbance activities within the Town of Vineyard. The intent is to protect the health, safety and welfare of the public against inadequate, unwarranted, or unsafe land disturbance activities during all aspects of land disturbance activities, including, but not limited to the following:

- a) To establish processes, procedures and standards for land disturbance activities such as clearing, grubbing, grading, excavating, filling, dredging, trenching, and all other normal construction activities.
- b) To assure that approved projects will be free from harmful effects of new land disturbance activities with regards to runoff, including inundation, flooding, erosion, air pollution, and sedimentation, tracking of mud on to streets, and trench failures.
- c) To ensure proper restoration of vegetation, soil systems, infrastructure in the right of way disturbed by land disturbance activities.
- d) To provide processes and standards in compliance with State and Federal requirements regarding pollution, environmental quality, and storm water discharge.

#### **Sub-Section A.** Land Disturbance Permit Required:

Except as otherwise provided herein, no person shall commence or perform any land disturbance, grading, relocation of earth, or any other land disturbance activity, and no person shall import or export any earth materials to or from any site, without first obtaining a land disturbance permit. No land disturbance permit shall be issued for any site or project requiring site plan approval until and unless a final site plan has been approved for the site or project. No land disturbance permit shall be issued for any site or project requiring subdivision approval until and unless the final subdivision plat has been approved for the site or project.

## **Sub-Section B.** Exemptions:

The following activities do not require a land disturbance permit. Activities exempted from the land disturbance permit requirements set forth herein are subject to and shall be performed in accordance with the Town of Vineyard design standards, standard drawings and standard specifications.

1) An excavation which does not exceed fifty (50) cubic yards; or an area less than three-thousand (3,000) square feet in area; or a cut slope less than five feet (5') in height. All three conditions must be met for

- the project to be exempt. Any excavation which is made in an area of adverse geological conditions or which alters a drainage course must obtain a permit.
- 2) A fill, which is less than two feet (2') in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical (5:1); affects an area that is less than three-thousand (3,000) square feet in area; is less than three feet (3') in depth and is not intended to support structures. All three conditions must be met for the project to be exempt
- 3) Excavations below the finished grade for basements and footings of buildings, retaining walls, swimming pools, or other structures authorized by a valid building permit. This shall not exempt any fill made of materials from such excavations or exempt any excavation having an unsupported height greater than five feet (5') after the completion of such structures.
- 4) Mining, quarrying, excavating, processing, and the stockpiling of rock, sand, gravel, aggregate, clay, or topsoil operations conducted under a valid special use permit issued by the Vineyard pursuant to applicable zoning regulations.
- 5) The depositing of rubbish or other materials at any dump or sanitary fill conducted under a valid permit and/or applicable zoning ordinances. Such exemption shall not extend to surrounding berms, permanent access roads, building sites, or protective drainage works.
- Farming and agricultural operations conducted under a valid use permit or applicable zoning ordinances.
- 7) Soil and water conservation work under the direct control of the United States Natural Resources Conservation Service; provided, the construction of water impounding structures of earth shall require a permit where the maximum depth to which water is or may be impounded is five feet (5') or greater.

# **Sub-Section C. Application:**

Application for a land disturbance permit shall be filed with the Town Engineer on forms furnished by the Town of Vineyard for such purpose. Applications shall include all the plans, specifications, reports, documentation and information required herein. All such plans, specifications and reports shall be prepared and signed by a civil engineer, soils engineer, engineering geologist and/or landscape architect, where applicable. Additional experts in applicable fields should be utilized for preparation of such documents and reports as appropriate. No application shall be processed until all required plans, specifications, reports, documentation and information have been received by the Town of Vineyard in accordance with the provisions and requirements of this Title.

# **Sub-Section D. Plans and Specifications:**

The Town Engineer shall assign the following plans, specifications, reports, documentation and information applicable to the magnitude and extent of the project. All projects submitted shall use the latest version of the Vineyard Design Standards and Specifications. Subdivisions and site plans shall be required to submit the appropriate items from the list below during the preliminary plat process. All other public improvement projects and operations as described in this document shall submit the appropriate items from the list during the application process. The plans, specifications, reports, and documentation are as follows:

- 1) A vicinity sketch or other data adequately indicating the site location;
- 2) The property lines and dimensions and bearings of the property on which the work is to be performed;
- 3) The location of any existing buildings or structures on the property where the work is to be performed and the location of any buildings or structures on the land of adjacent property owners, which buildings or structures are within fifty feet (50') of the property boundary;
- 4) The location of landmark trees as indicated by the designation of the location of the center of the trunk;
- 5) Accurate topography showing suitable contours of the existing and proposed ground elevations. The contours shall be extended past the boundary lines of any project for a minimum of one hundred feet (100'). The Town Engineer may require the contours to be extended to include watershed areas and all other areas influencing the proposed development;
- 6) The elevations, dimensions, locations, extent, and slopes of all proposed land disturbance activities shown by contours or other means;
- 7) A certification of the quantity and type of material of any proposed excavation and fill;
- 8) The estimated starting and completion dates for the proposed land disturbance activities and proposed land disturbance activities schedule and permit term;

- 9) Detailed plans of all drainage devices, walls, cribbing, dams, or other protective devices to be constructed in connection with, or as a part of, the proposed work, together with a map showing the drainage area and estimated runoff of the area served by the drains. All hydrologic and hydraulic calculations shall be signed by a civil engineer;
- 10) Temporary construction entrance and exit plan;
- 11) An indication as to the type of structure or structures to be constructed or the proposed use of the site, such as single-family residence, multiple-family development, commercial, or industrial; and
- 12) Any additional plans, drawings, or calculations required herein or by the Town Engineer.

## Sub-Section E. Grading, Drainage, Soils Report, and Geological Report Plans:

Each application for a land disturbance permit shall include a Grading, Drainage, Soils Report, and Geological Report Plans for the proposed land disturbance activity and site. The plans shall be prepared by a civil engineer and shall be prepared in accordance with the requirements and standards for such plans as set forth in the Town of Vineyard Standards.

## Sub-Section F. Erosion and Sediment Control and Re-vegetation Plans:

Each application for a land disturbance permit shall include a Erosion and Sediment Control and Revegetation Plans for the proposed land disturbance activity and site. The plans shall be prepared by an erosion control specialist or professional of comparable expertise and shall be prepared in accordance with the requirements and standards for such plans as set forth in the Town of Vineyard Standards

# Sub-Section G. Exploratory Work:

Surface and subsurface exploratory work and reports may be required when deemed necessary by the Town Engineer due to site conditions and/or hazards on the site. When required, such exploratory work and reports shall be performed and prepared by a soils engineer and/or engineering geologist. Exploratory work and reports shall be conducted and prepared in accordance with the industry standards.

## Sub-Section H. Application Waiver:

The Town Engineer may waive any application requirement, plan, specification or report when deemed unnecessary for the proposed application and for good cause showing. A request for an application waiver shall be submitted by the applicant in writing setting forth the grounds and reasons for the waiver. An application shall not be deemed complete for purposes of the filing of a completed application until the Town Engineer has approved the application waiver request.

## **Sub-Section I.** Fees:

All applicable fees shall be paid by applicant with the filing of an application for a land disturbance permit in accordance with the Town Fee Schedule. An application will not be deemed complete until the required fees have been received by the Town Staff.

## Sub-Section J. Approval or Denial:

The Town Engineer shall review the application, plans, and specifications filed by an applicant for a land disturbance permit. If the Town Engineer determines that the application is incomplete, or that additional information is needed from the applicant regarding the proposed land disturbance activities, the Town Engineer shall notify the applicant in writing of such deficiencies or the need for additional information. The Town Engineer may also request review of the application, plans and specifications by other Town Departments for compliance with the laws and ordinances under their jurisdiction. Once satisfied that the work described in an application for land disturbance permit and the plans and specifications filed with the application conform to the requirements of this Permit and other pertinent laws and ordinances, all applicable fees have been paid, and all required bonds have been provided in accordance with the appropriate procedure, the Town Engineer may issue a land disturbance permit to the applicant.

#### Sub-Section K. Denial of Land Disturbance Permits:

- A land disturbance permit shall not be issued in any case where it is found that the work proposed by the applicant is hazardous, as determined by the Town Engineer, or is likely to endanger any private property, result in the deposit of debris on any public way, or interfere with any existing drainage course.
- 2) A land disturbance permit shall not be issued if the land area for which grading is proposed is subject to geological or flood hazard to the extent that no reasonable amount of corrective work can eliminate or sufficiently reduce the hazard to human life or property as determined by the Town Engineer.
- 3) A land disturbance permit shall not be issued if the proposed land disturbance activity would not comply with the requirements of an applicable site plan, subdivision plat, or any provisions of law, including the provisions of this Permit.

# Sub-Section L. Modification of Plans and Correction of Errors:

No approved plans or specifications shall be changed, modified, altered or amended, without approval of the Town Engineer in accordance with the procedures and requirements set forth herein for original approval of such plans and specifications.

The issuance of a land disturbance permit based upon submitted plans, specifications and documents shall not prevent or preclude the right of the Town of Vineyard from thereafter requiring the correction of errors which may be later discovered in such plans, specifications and documents.

#### **Sub-Section M. Term of Land Disturbance Permits:**

Each land disturbance permit shall contain a specified term as determined by the Town Engineer. The date the land disturbance permit expires shall be noted on the land disturbance permit.

#### Sub-Section N. Extension of Term:

Prior to expiration of the land disturbance permit, the land disturbance permit holder may apply for an extension of time in which to complete the work in a reasonable and expeditious manner. The Town Engineer may grant an extension of time, upon a showing of good cause, for a period or periods not exceeding a total of one (1) year. Denial of an extension of time does not preclude the right of the land disturbance permit holder to apply for a new land disturbance permit for the remaining balance of the work. Adequate security or written consent from the surety must be provided for any extension of time before approval of the extension is granted or becomes effective.

#### **Sub-Section O.** Suspended or Abandoned Work:

Every land disturbance permit issued by the Town Engineer under the provisions of this Permit expires by limitation and becomes null and void if the land disturbance permit holder suspends or abandons the construction or work authorized by such land disturbance permit, at any time after the work is commenced, for a period of one-hundred twenty (120) days or longer. After construction or work under a land disturbance permit has been suspended or abandoned for a period of one-hundred twenty (120) days or longer, a new or renewed permit must be obtained prior to recommencing work.

#### Sub-Section P. No Transfer or Assignment of Permit:

Land disturbance permits shall not be transferable or assignable and work shall not be performed under a land disturbance permit in any place other than that specified in the permit. Nothing herein shall prevent a permit holder from subcontracting the work to be performed under a land disturbance permit; provided, however, the permit holder shall be and remain responsible and liable for the performance of the work and land disturbance activities under the permit and for all bonding and other requirements of this Title and the applicable permit.

#### Section 1.03 CONSTRUCTIONS AND BONDING OF PUBLIC IMPROVEMENTS

#### **Sub-Section A.** Construction:

Construction of any public improvements, including infrastructure and facilities, necessary to meet the requirements of the Subdivision Ordinance, any requirements required by the Town Council for final subdivision approval, Town improvement projects, or utility projects sponsored by utility companies which utilize Vineyard Town streets, shall comply with the Vineyard Town Development Design Standards, Standard Drawings and Specifications, as established by the Town Council. A Land Disturbance Permit (LDP) shall be required for all construction or maintenance projects, which do not require a building permit. The Town Engineer shall administer all construction or maintenance improvement projects as defined above. The Zoning Administrator or Building Official as designated by the Town Council shall administer all building permits for construction on private property as defined by the International Building Code (IBC).

## Sub-Section B. Bonds:

Bonds equal to 110 % of the replacement costs of the public improvements shall be mandatory for all public improvement projects. Bonding for subdivision plat improvement projects shall meet the Subdivision Ordinance requirements. Town Public Improvement (TPI) projects shall meet the bonding requirements of the project bid documents. Bonding for utility sponsored projects shall be regulated by the franchise agreements between the utility company and the Town of Vineyard. If the utility company does not have a franchise agreement with Vineyard Town, the utility shall post a bond for the improvements affected by the utility work using the latest bond sheets provided by the Town Engineer.

#### Section 1.04 PRE-CONSTRUCTION MEETING FOR PUBLIC IMPROVEMENTS

A Pre-construction meeting shall be required, as directed by the Town Engineer, for all construction projects within Vineyard Town right of way and public facilities. The Town Engineer or his representative, the Town Inspector, the Applicant(s) or his representative, and the Project Manager for the contractor will attend the Pre-construction meeting.

#### Sub-Section A. Town Staff:

The Town Staff shall issue a Land Disturbance Permit (LDP) at the pre-construction meeting. The Land Disturbance Permit (LDP) must be posted at the construction site at all times. The Town Inspector will direct the meeting and will provide an agenda, which will list important elements of the project.

# **Sub-Section B.** The Applicant(s):

The pre-construction meeting shall be requested by the Applicant(s) or his representative. The meeting may be held as soon as the bonding for the subdivision has been posted and the final plat with all the applicable signatures have been acquired and submitted to the Town Recorder.

The Applicant's contractor will provide a construction schedule and traffic control plan, for review, to the Town Engineer seven days prier to the scheduled pre-construction meeting. The construction schedule will be used to assess progress of the project.

# Starting Construction:

- 1) Subdivision Improvements: Following the recording of the Final Subdivision Plat in the office of the Utah County Recorder, the Notice to Proceed shall be issued and the Applicant(s) may proceed with construction of the approved subdivision.
- 2) Town Public Improvement Projects: Town Public Improvement (TPI) projects shall follow the schedule as described in bid documents. The Town Engineer shall work with the selected contractor to set the pre-construction meeting. The Notice to Proceed shall be issued at the pre-construction meeting.
- 3) Utility Sponsored Projects: Utility sponsored projects shall be required to apply for a Land Disturbance Permit. The Town Engineer shall meet with the Utility Owner to identify the process that will be followed. It will be the Utility Owners responsibility to obtain all state and federal permits necessary as part of the Land Disturbance Permit. The Pre-construction meeting shall be requested by

the Utility Owner or his representative as soon the Land Disturbance Permit has been approved by the Town Engineer. The Notice to Proceed shall be issued at the pre-construction meeting.

No construction shall be allowed until the pre-construction meeting has been held, a Land Disturbance Permit has been approved and a Notice to Proceed has been issued.

#### Section 1.05 PUBLIC IMPROVEMENT INSPECTIONS AND BOND RELEASE PROCESS

#### **Sub-Section A.** Inspection:

The Town Engineer, or designee, shall inspect or cause to be inspected all public improvements and facilities, including, but not limited to, all water supply and sewage disposal systems in the course of construction, all streets and roads, all drainage and flood control facilities, all fire hydrants, and all other improvements and facilities. Excavations for fire hydrants and water and sewer mains and laterals, drainage and flood control facilities shall not be covered or backfilled until such installations has been approved by the Town Engineer, or designee. If any such installation is covered before being inspected, it shall be uncovered after notice to uncover has been issued to the responsible person by the Town Engineer.

#### **Sub-Section B. Bond Release Administration:**

The Town Engineer along with the Town Inspector shall administer the improvement bonds and release of bond funds as the improvement is constructed. As described in "Section 1.03 CONSTRUCTION AND BONDING OF PUBLIC IMPROVEMENTS", an improvement bond equal to 110 % of the replacement costs of the public improvements shall be posted before construction shall begin.

## Sub-Section C. Bond System Releases:

Bonds shall be released by system only, for example - drainage systems will include but not be limited to piping, inlet boxes, manholes, outlet structures, and detention basins. - Streets will include but not be limited to grading of roadway, curb, gutter, sidewalk, asphalt, park strip landscaping, and irrigation system for landscaping. Sewer, Culinary and Land Drain are other systems that may be included in a project.

# **Sub-Section D. Bond Fund Releases Process:**

- 1) The first 90 % will be released when the Town Engineer verifies that the system improvements have been constructed as designed or according to the design accepted change order.
- 2) The next 10 % will be released when the Town Engineer verifies the total project as been constructed as designed or according to the design accepted change order. This portion will not be released until the whole project is finished.
- 3) The Final 10 % will be released after the two (2) year warranty period when the Town Engineer verifies that the project has met the materials and construction workmanship obligations.

# **Sub-Section E. Bond Release Inspection Process:**

- 1) The Applicant(s) or his representative shall request by written notification to Town Staff that the projects is ready for inspection. The notification shall include the:
  - i. project name as listed on the bond sheet
  - ii. bond funds release requested (Sub- Section D)
  - iii. if it is bond release 1 list the systems to be considered
  - iv. contact information for the responsible party that will take part in the inspection for applicant.
- 2) The Town Staff will notify the Town Inspector.
- 3) The Town Inspector will set up the inspection of the project as described in the notification letter.
- 4) During the onsite inspection, the Town Inspector will compile a punch list.
- 5) The Town Engineer will verify the punch list with the Town Inspector.
- 6) The Town Staff will then send the punch list to the Applicant.
- 7) The Applicant can address any questions or clarification of punch list with the Town Inspector and Town Engineer.
- 8) When all items on the punch list have been address, the Applicant or his responsible party will contact the Town Staff requesting a completion inspection.

- 9) The Town Inspector will verify that the corrections have been completed. If the corrections are not complete he will notify the Applicant that the completion inspection can not be set. If the corrections have been completed he will set up the completion inspection of the project as described in the punch list. The Town Engineer can request additional inspection fees if the Town Inspector is notified to verify the punch list completion when all items on the punch list have not bee completed.
- 10) The Town Engineer, the Town Inspector, and all Applicant's designated persons will review the punch list items on site.
- 11) If the Town Engineer is satisfied that all punch list items have been address and conform to the design or the design of the change order, he will cause the Town Staff to issue the bond release.
- 12) If the Town Engineer is not satisfied that the punch list items have been met, he will cause the Town Staff to issue a rejection letter. All subsequent inspection will again follow the same process as described above.

The Bond Release Process shall follow the steps in this section for each Bond Fund Release illustrated above.